



City of El Paso – City Plan Commission Staff Report

Case No: PZDS16-00007
Application Type: Detailed Site Development Plan Review
CPC Hearing Date: March 24, 2016
Staff Planner: Jeff Howell, 915-212-1607, howelljb@elpasotexas.gov

Location: 9893 & 9897 Taj Mahal Avenue
Legal Description: Lots 18 and 19, Block 3, Sahara Subdivision, City of El Paso, El Paso County, Texas
Acreage: 0.274-acre
Rep District: 4
Current Zoning: A-O/sc (Apartment-Office/special contract)
Existing Use: Vacant
C/SC/SP/ZBA/LNC: Condition imposed by Ordinance No. 6245, dated August 8, 1978 and Special Contract 26060
Request: Detailed Site Development Plan Review
Proposed Use: Duplexes

Property Owner: RD & J Investments, LLC
Representative: Jesus E. Dominguez

SURROUNDING ZONING AND LAND USE

North: A-O/sc (Apartment-Office/special contract) / Duplex
South: A-O/sc (Apartment-Office/special contract) / Vacant
East: R-4 (Residential) / Church
West: C-3/sc (Commercial/special contract) / Glass Distributor

PLAN EL PASO DESIGNATION: G-3, Post-War (Northeast Planning Area)

NEAREST PARK: Milagro Park (2,809 feet)

NEAREST SCHOOL: Dowell Elementary School (3,264 Feet)

NEIGHBORHOOD ASSOCIATIONS

The subject property is not within any neighborhood association boundaries.

NEIGHBORHOOD INPUT

Detailed Site Development Plan Review does not require public notification as per Section 20.04.520, Notice of the El Paso City Code.

CASE HISTORY

On August 8, 1978, City Council approved the rezoning of the subject property by Ordinance No. 6245, and imposed conditions through Special Contract No. 26060 (Attachment #6) as follows:

1. No building permits shall be issued for construction on the property until the following conditions have been met by First Parties:

(a) Complete and detailed site development and architectural plans of the proposed development on the property must be submitted by First Parties and approved by the City Plan Commission of the City of El Paso.

(b) Drainage and grading plans for the proposed development on the property must be submitted by First Parties and approved by the City Engineer of the City of El Paso and the Texas Department of Highways and Public Transportation. Such plans shall include plans and specifications for a facility to

be constructed by First Parties on the property for the on-site ponding of storm waters. Such facilities shall be designed so that no storm waters will be permitted to flow from the property into Dyer Street or Taj Mahal Street.

(c) A complete and detailed landscaping plan must be submitted by First Parties and approved by the Director of Planning and the Director of Traffic and Transportation of the City of El Paso. Such plan shall show details of a 15-foot wide landscaped strip to be installed by First Parties on the property adjacent and parallel to the property line along Dyer Street. This landscaping accomplished by the use of greenery, grass, and shrubs, or by the use of such materials as crushed stone, cactus, lava rock, or similar materials. The entire width of the strip shall be landscaped with the exception of approved driveways. The landscaping shall not have a height greater than three feet above the level of the center line of Dyer Street and shall be so designed as to not interfere with visibility for safe ingress and egress.

2. No certificates of occupancy and compliance shall be issued by the City for any buildings constructed on the property until First Parties have, at no cost to the City, done the following:

(a) Constructed all improvements on the property in accordance with the approved site development and architectural plans.

(b) Done all grading and made all drainage improvements required by the approved grading and drainage plans, including installation of the facility for the on-site ponding of storm waters.

(c) Installed the 15-foot wide landscaped strip in accordance with the approved landscaping plan.

(d) Installed asphalt paving on the part of the alley in Block 2, Sahara Addition, which lies between the southerly boundary of Sahara Lane and the southerly lot lines (extended) of Lots 11 and 22, Block 2, Sahara Addition, and installed asphalt paving on the part of the alley in Block 3, Sahara Addition, which lies between the southerly boundary of Souda Avenue and the southerly lot lines (extended) of Lots 16 and 19, Block 3, Sahara Addition. Such paving shall be done in accordance with specifications to be approved by the City Engineer of the City of El Paso.

(e) Contacted a paving contractor and requested that he initiate a proposal to the City to install paving, curbs and gutters on the following parts of Taj Mahal Street: between the southerly boundary of Sahara Lane and the southerly lot line (extended) of Lot 22, Block 2, Sahara Addition between the southerly lot line (extended) of Lot 30, Block 2, Sahara Addition and the northerly boundary of Souda Avenue and between the southerly boundary of Souda Avenue and the southerly lot line (extended) of Lot 19, Block 3, Sahara Addition. No certificates of occupancy and compliance shall be issued until the City Engineer, Director of Planning, Director of Traffic and Transportation, and the Texas Department of Highways and Public Transportation have certified that First Parties have complied with the above provisions.

3. The landscaped strip required to be constructed under Paragraphs 1(c) and 2(c) shall be properly maintained and kept in good condition by First Parties at all times. The parking of vehicles on such strip is prohibited.

4. If and when the paving, curbs and gutters are installed on Taj Mahal Street in accordance with the provisions of Paragraph 2(e) thereof, First Parties agree, upon demand by the City, to pay 1/2 the cost of the paving, curbs and gutters on such parts of Taj Mahal Street, provided however, that the balance of the cost of such street improvements is to be paid by the other owners of property abutting thereon, either through voluntary payment, mechanics lien contracts, or assessment of paving liens as provided in Art. 1105b, Tex. Rev. Civ. Stat. Ann. All such street improvements shall be made in accordance with plans and specifications to be approved by the City Engineer of the City of El Paso.

The present detailed site development plan review has been submitted to fulfill Condition #1 (a). Conditions #2, #3 and #4 have been satisfied, are current code requirements, or are no longer applicable.

APPLICATION DESCRIPTION

The detailed site development plan shows two proposed duplex buildings totaling 5,500 sq. ft. on a currently vacant 0.274-acre parcel, which has been subdivided into two lots. One 2,855 sq. ft duplex is proposed on Lot 18 (0.136-acre), while another 2,645 sq. ft. duplex is proposed on Lot 19 (0.137-acre). The proposed use is for duplexes. The development requires 8 total parking spaces, 4 per lot and the

applicant proposes 8 parking spaces, providing 4 per lot. Access to the subject property is proposed from Taj Mahal Avenue and Souda Avenue via a 20' alley.

PLANNING DIVISION RECOMMENDATION

The Planning Division recommends **APPROVAL** of the detailed site development plan request as it meets all the requirements of Section 20.04.150, Detailed Site Development Plan.

ANALYSIS

20.04.140 When required.

Except as stated herein, a detailed site development plan is required prior to development in a special purpose district or with a special permit application and may be required if a zoning condition exists on a particular piece of property. Detailed site development plans are not required for any projects for development in the Mixed Use District (RMU, GMU and IMU) or for any other projects other than those located in special purpose districts or as otherwise required herein.

A detailed site development plan review is required due to a condition imposed on the subject property. Special Contract No.26060 that a detailed site development plan be approved by the City Plan Commission.

20.04.150 Procedure.

- D. City plan commission approval. Pursuant to this Code, the city plan commission, in addition to the powers and duties identified in this chapter, shall have final authority on approval of all other detailed site development plans, unless a zoning condition, contract provision, other city code provision or state law require the detailed site development plan to be approved by city council.
1. The planning division shall make its recommendations to the city plan commission within thirty days after a complete application is submitted.
 2. The city plan commission shall hold a public hearing at its regular meeting that is within thirty days from receipt of department recommendations.
 3. The commission shall consider the following information when approving a proposed detailed site development plan: the boundaries of the tract proposed for development; location and arrangement of structures; determine if the use conforms to applicable zoning regulations, determine if historic landmark commission approval has been granted for architectural design of all structures if located in a historic district and the design conforms to such approval; location of utility rights-of-way and easements and stormwater drainage; vehicular and pedestrian ways; on-site parking areas; location of open spaces and landscape planted areas.
 4. In no instance shall the city plan commission have authority to vary the yard standards applicable to the district.
 5. The city plan commission shall approve the plan if it complies with all applicable code provisions.

Planning Staff has reviewed the detailed site development plan and recommends approval as it meets all of the requirements.

Plan El Paso- Future Land Use Map Designation

All applications for detailed site plan review shall demonstrate compliance with the following criteria:

G-3 – Post War: This sector applies to transitional neighborhoods typically developed from the 1950s through the 1980s. Streets were laid out with curvilinear patterns without alleys and shopping centers are located at major intersections behind large parking lots. This sector is generally stable but would benefit from strategic suburban retrofits to supplement the limited housing stock and add missing civic and commercial uses.

The purpose of the A-O (Apartment-Office) district is to provide medium densities of dwelling units supported

by higher intensity land uses located at the periphery of single-family neighborhoods providing that the overall character and architectural integrity of the neighborhood is preserved. It also it to permit building types designed for transition from areas of low density residential neighborhoods to other residential areas, and certain non-residential uses and support facilities.

COMMENTS:

Planning and Inspections Department - Planning Division – Transportation

No objections.

Planning and Inspections Department – Plan Review

No objections to proposed detailed site development plan per recommendation from the streets department

Planning and Inspections Department - Land Development

1. No objections.
2. Approval of the site plans by CPC constitutes a determination that the applicant is in compliance with the minimum provisions. Applicant is responsible for the adequacy of such plans, insuring that stormwater is in compliance with ordinances, codes, DSC, and DDM. Failure to comply may require the applicant to seek re-approval of the site plans from CPC.

Planning and Inspections Department - Landscape

No objections to proposed detailed site development plan per recommendation from the streets department

Fire Department

Recommend Approval.

El Paso Water Utilities

Water:

1. There is an existing six (6) inch diameter water main that extends along Taj Mahal Street approximately 13 east of the right of way centerline. This water main is available for service.
2. There is an existing six (6) inch diameter water main that extends along Souda Ave. approximately 10 feet north of the right of way centerline. This water main is available for service.
3. Previous water pressure readings from fire hydrant #3326, located on the northeast corner Dyer St. and Souda Ave., have yielded a static pressure of 102 pounds per square inch (psi), a residual pressure of 98 psi and a discharge of 1300 gallons per minute (gpm).
4. The owner should, for his own protection and at his own expense, install at the discharge side of each water meter a pressure regulator, strainer and relief valve, to be set for pressure as desired by the customer. The Lot owner shall be responsible for the operation and maintenance of the above-described water pressure regulating device.

Sanitary Sewer:

1. There is an existing eight (8) inch diameter sanitary sewer main that extends along Souda Ave. The main is located approximately 5 feet south of the right of way centerline. This main is available for service.
2. There is an existing eight (8) inch diameter sanitary sewer main that extends along Taj Mahal Ave. approximately 5 feet west of the right of way centerline. This main is available for service.
3. There is an existing eight (8) inch diameter sanitary sewer main that extends along an alley between Taj Mahal Ave. and Dyer St., east of the property. This main is located along the centerline of the alley. This main is available for service.

4. Application for additional water services should be made 6 to 8 weeks prior to construction to ensure water for construction work. New service applications are available at 1154 Hawkins, 3rd Floor. A site plan, utility plan, grading and drainage plans, landscaping plan, the legal description of the property and a certificate-of-compliance are required at the time of application. Service will be provided in accordance with the current EPWU – PSB Rules and Regulations. The applicant is responsible for the costs of any necessary on-site and off-site extensions, relocations or adjustments of water lines and appurtenances.

El Paso Water Utilities-Stormwater Division

We have reviewed the properties described above and have no objections.

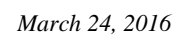
Sun Metro

Sun Metro does not oppose this request. Recommends the construction of sidewalks to provide pedestrian access to nearby mass transit options.

Attachments

1. Zoning Map
2. Aerial Map
3. Detailed Site Development Plan
4. Elevations
5. Ordinance No. 6245
6. Special Contract 26060

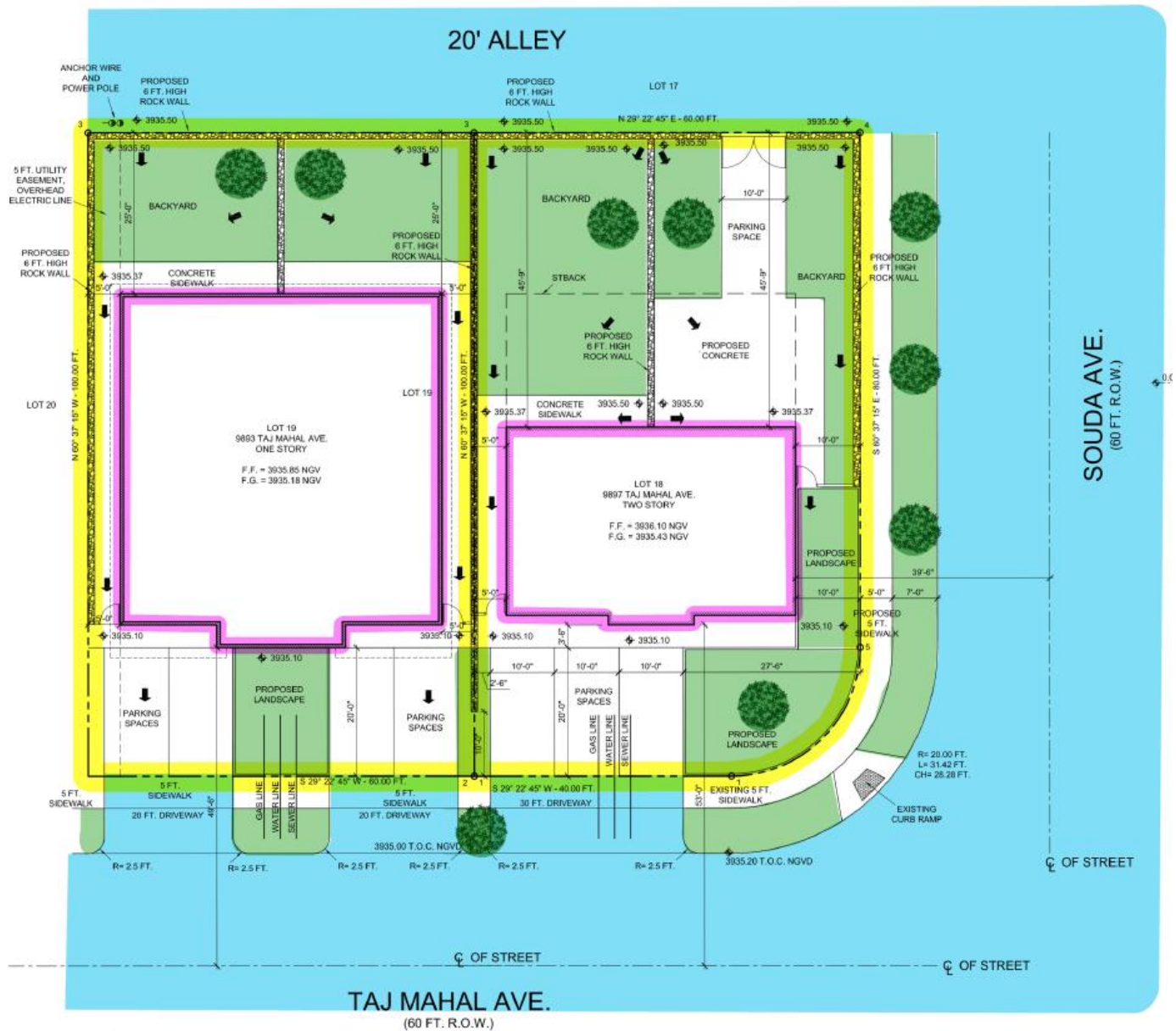
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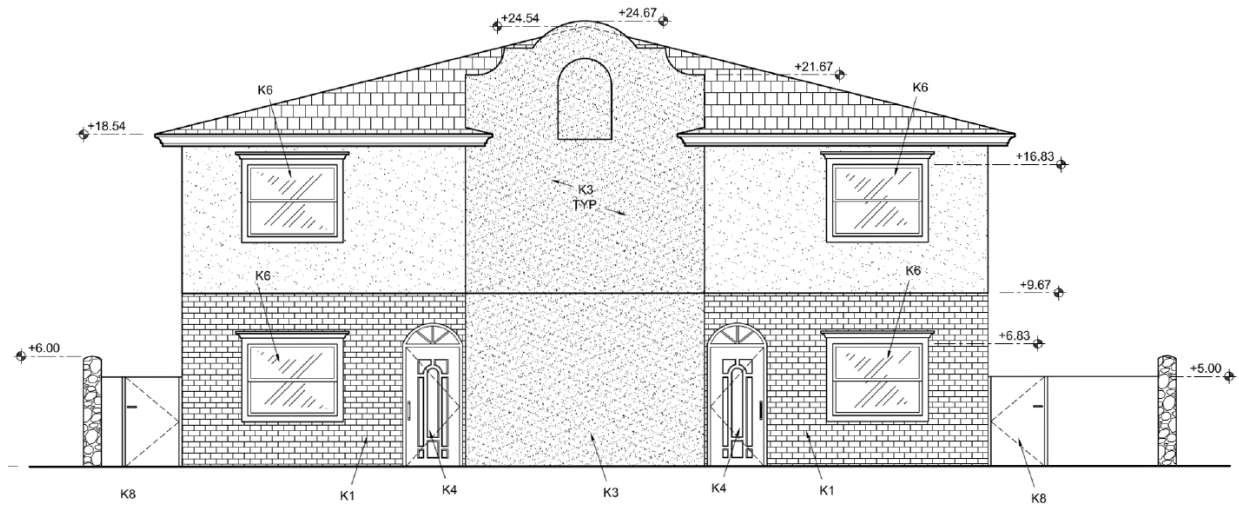
ATTACHMENT 3: DETAILED SITE DEVELOPMENT PLAN



DETAILED SITE DEVELOPMENT PLAN

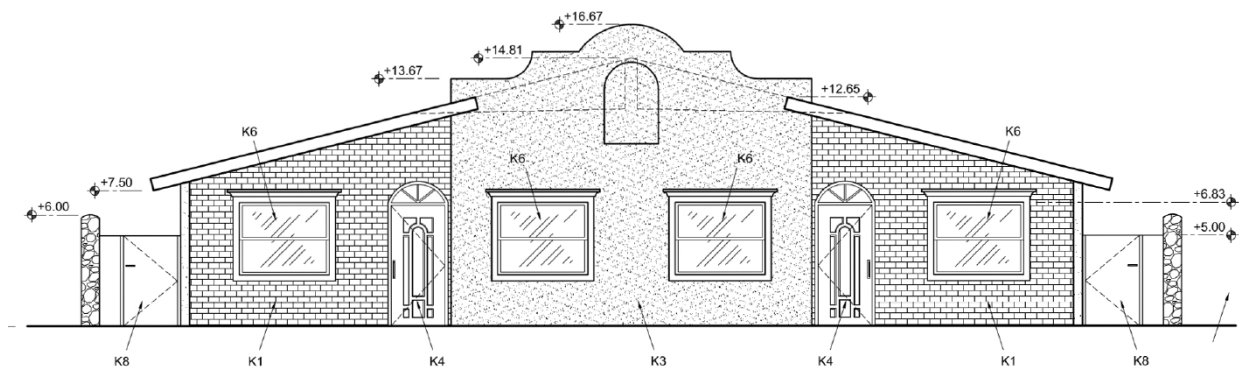
SCALE: 1" = 10'-0"

ATTACHMENT 4: ELEVATIONS



FRONT ELEVATION TWO STORY

SCALE: 3/16" = 1'-0"



FRONT ELEVATION ONE STORY

SCALE: 3/16" = 1'-0"

ATTACHMENT 5: ORDINANCE NO. 6245

8/23/78
WRH
8/8/78
WRH

6245

AN ORDINANCE CHANGING THE ZONING
OF LOTS 11-14, 17-22, 31 AND 32,
BLOCK 2 AND LOTS 16-19, BLOCK 3,
SAHARA ADDITION, THE PENALTY BEING
AS PROVIDED IN SECTION 25-10 OF THE
EL PASO CITY CODE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the zoning of the following Lots in Block 2 and Block 3,
Sahara Addition be changed as indicated, within the meaning of the
Zoning Ordinance, and the zoning map of the City be revised
accordingly:

PARCEL 1 - Changed to C-1 (Commercial)

Lots 11 through 14 and Lots 17 through 22, Block 2,
Sahara Addition


PARCEL 2 - Changed to A-0 (Apartment-Professional-Office)

Lots 31 and 32, Block 2, and Lots 18 and 19, Block 3,
Sahara Addition

PARCEL 3 - Changed to C-1 (Commercial)

Lots 16 and 17, Block 3, Sahara Addition

PASSED AND APPROVED this 8th day of August, 1978.

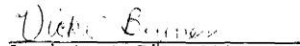

Mayor Rio-fern

ATTEST:


City Clerk

I CERTIFY THAT THE FOLLOWING ZONING MAPS
HAVE BEEN REVISED: C.T.
8-23-78 COUNTER
8-23-78 ORIGINAL
8-23-78 Bldg. Inspection
8-23-78 CONTROL R. Gonzalez

APPROVED AS TO FORM:


Assistant City Attorney

certify that the zoning map has been revised to
reflect the amendment of ordinance #6245
By R. Gonzalez Date 8-23-78

6245

78-4182

ATTACHMENT 6: SPECIAL CONTRACT NO. 26060

26060

CONTRACT

This contract, made this 31 day of July, 1978,
by and between MORTON L. BLAUGRUND and wife, VIVIAN M. BLAUGRUND,
First Parties, and the CITY OF EL PASO, Second Party, witnesseth:

Application has been made to the City of El Paso for rezoning
of Lots 11-14, 17-22, 31 and 32, Block 2 and Lots 16-19, Block 3,
all in the Sahara Addition to the City of El Paso, El Paso County,
Texas. In order to remove certain objections to such rezoning, First
Parties covenant that if the property is rezoned as indicated in
Ordinance No. 6245 a copy of which is attached hereto, marked Exhibit "A"
and made a part hereof by reference, it shall be subject to the following
restrictions, conditions and covenants:

1. No building permits shall be issued for construction on the
property until the following conditions have been met by First Parties:

(a) Complete and detailed site development and architectural
plans of the proposed development on the property must be submitted
by First Parties and approved by the City Plan Commission of the
City of El Paso.

(b) Drainage and grading plans for the proposed development
on the property must be submitted by First Parties and approved by
the City Engineer of the City of El Paso and the Texas Department
of Highways and Public Transportation. Such plans shall include
plans and specifications for a facility to be constructed by First
Parties on the property for the on-site ponding of storm waters.
Such facilities shall be designed so that no storm waters will be
permitted to flow from the property into Dyer Street or Taj Mahal
Street.

(c) A complete and detailed landscaping plan must be submitted
by First Parties and approved by the Director of Planning and the
Director of Traffic and Transportation of the City of El Paso. Such
plan shall show details of a 15-foot wide landscaped strip to be
installed by First Parties on the property adjacent and parallel to
the property line along Dyer Street. This landscaping may be
accomplished by the use of greenery, grass, and shrubs, or by

923 1671

the use of such materials as crushed stone, cactus, lava rock, or similar materials. The entire width of the strip shall be landscaped with the exception of approved driveways. The landscaping shall not have a height greater than three feet above the level of the center line of Dyer Street and shall be so designed as to not interfere with visibility for safe ingress and egress.

2. No certificates of occupancy and compliance shall be issued by the City for any buildings constructed on the property until First Parties have, at no cost to the City, done the following:

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(b) Done all grading and made all drainage improvements required by the approved grading and drainage plans, including installation of the facility for the on-site ponding of storm waters.

(c) Installed the 15-foot wide landscaped strip in accordance with the approved landscaping plan.

(d) Installed asphalt paving on the part of the alley in Block 2, Sahara Addition, which lies between the southerly boundary of Sahara Lane and the southerly lot lines (extended) of Lots 11 and 22, Block 2, Sahara Addition, and installed asphalt paving on the part of the alley in Block 3, Sahara Addition, which lies between the southerly boundary of Souda Avenue and the southerly lot lines (extended) of Lots 16 and 19, Block 3, Sahara Addition. Such paving shall be done in accordance with specifications to be approved by the City Engineer of the City of El Paso.

(e) Contacted a paving contractor and requested that he initiate a proposal to the City to install paving, curbs and gutters on the following parts of Taj Mahal Street: between the southerly boundary of Sahara Lane and the southerly lot line (extended) of Lot 22, Block 2, Sahara Addition; between the southerly lot line (extended) of Lot 30, Block 2, Sahara Addition and the northerly boundary of Souda Avenue and between the southerly boundary of Souda Avenue and the southerly lot line (extended) of Lot 19, Block 3, Sahara Addition.

923 1672

No certificates of occupancy and compliance shall be issued until the City Engineer, Director of Planning, Director of Traffic and Transportation, and the Texas Department of Highways and Public Transportation have certified that First Parties have complied with the above provisions.

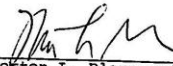
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4. If and when the paving, curbs and gutters are installed on Taj Mahal Street in accordance with the provisions of Paragraph 2(e) hereof, First Parties agree, upon demand by the City, to pay 1/2 the cost of the paving, curbs and gutters on such parts of Taj Mahal Street, provided however, that the balance of the cost of such street improvements is to be paid by the other owners of property abutting thereon, either through voluntary payment, mechanics lien contracts, or assessment of paving liens as provided in Art. 1105b, Tex. Rev. Civ. Stat. Ann. All such street improvements shall be made in accordance with plans and specifications to be approved by the City Engineer of the City of El Paso.

This agreement is a restriction, condition and covenant running with the land and a charge and servitude thereon, and shall bind First Parties and their successors in title. Any future conveyance of the land shall contain this restriction, condition and covenant and shall embody this agreement by express reference.

The City may enforce this agreement by injunction or any other legal or equitable remedy. The City Council of the City of El Paso may release the above restrictions, conditions and covenants in its discretion without the consent of any third person who may be benefited thereby.

WITNESS the following signatures and seals:


Morton L. Blaugrund


Vivian M. Blaugrund

923 1673

THE CITY OF EL PASO

By

Mayor

ATTEST:

APPROVED: AS TO FORM

Assistant City Attorney

THE STATE OF TEXAS)

COUNTY OF EL PASO)

Before me, the undersigned authority, on this day personally appeared MORTON L. BLAUGRUND, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN under my hand and official seal this 31 day of July, 1978.

Notary Public in and for El Paso County, Texas

My Commission Expires:

4/30/79

THE STATE OF TEXAS)

COUNTY OF EL PASO)

Before me, the undersigned authority, on this day personally appeared VIVIAN M. BLAUGRUND, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

GIVEN under my hand and official seal this 31 day of July, 1978.

Notary Public in and for El Paso County, Texas

My Commission Expires:

4/30/79

923 1674

THE STATE OF TEXAS)

COUNTY OF EL PASO)

Before me, the undersigned authority, on this day personally appeared Don M. Pender, Mayor Pro-Tem, of the City of El Paso, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged before me in my county aforesaid that he had executed the same for the purposes and consideration and in the capacity therein expressed, and as the act and deed of the City of El Paso.

GIVEN under my hand and official seal this 8th day of August, 1978.

Conrad A. Dula
Notary Public in and for El Paso County,
Texas



923 1675

959 1644

AN ORDINANCE CHANGING THE ZONING
OF LOTS 11-14, 17-22, 31 AND 32,
BLOCK 2 AND LOTS 16-19, BLOCK 3,
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AS PROVIDED IN SECTION 25-10 OF THE
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Lots 31 and 32, Block 2, and Lots 18 and 19, Block 3,
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PARCEL 3 - Changed to C-1 (Commercial)

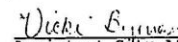
Lots 16 and 17, Block 3, Sahara Addition

PASSED AND APPROVED this 8th day of August, 1978.


Mayor Pro-Tem



APPROVED AS TO FORM:


Assistant City Attorney

923 1676

EXHIBIT "A"

151-1303

26060

FILED FOR RECORD
IN MY OFFICE

AUG 9 AM 11:11

COUNTY CLERK
EL PASO COUNTY, TEXAS
STATE OF TEXAS
COUNTY OF EL PASO
I hereby certify that this instrument was filed
on the date and time stamped hereon by me and
was duly recorded in the volume and page of the
Official Public Records of Real Property, El Paso
County, Texas.

AUG 9 1978



L. L. McNeill
COUNTY CLERK, EL PASO, COUNTY, TEXAS

053 1310

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